IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF TENNESSEE AT NASHVILLE

SHEMEKA C. TURNER,)
Plaintiff,) Case No:
v.)) Judge:
ALFA ALLIANCE INSURANCE CORPORATION,)))
Defendant.)

NOTICE OF REMOVAL

Defendant, Alfa Alliance Insurance Corporation, hereby notifies the judges of the United States District Court for the Middle District of Tennessee, the Clerk of the Circuit Court of Rutherford County, Tennessee at Murfreesboro, and plaintiff, Shemeka C. Turner, that the action described herein and filed in the Circuit Court of Rutherford County, Tennessee at Murfreesboro, is removed to the United States District Court for the Middle District of Tennessee, at Nashville, pursuant to 28 U.S.C. §1441.

- 1. On June 29, 2012, plaintiff, Shemeka C. Turner, filed a civil action bearing Case No. 64968 against the defendant, Alfa Alliance Insurance Corporation, a Virginia corporation, in the Circuit Court of Rutherford County, Tennessee. Service of the complaint and summons was made upon the Tennessee Department of Commerce and Insurance on or about July 5, 2012.
- 2. Plaintiff filed this action seeking damages for breach of contract and bad faith allegedly due under a contract of insurance written by defendant, Alfa Alliance Insurance Corporation. (See complaint). (A copy attached hereto as exhibit 1).

3. Petitioner seeks removal of this action to this Court on the grounds that the controversy is wholly between citizens of different states and involves an amount in controversy which exceeds Seventy-five Thousand Dollars (\$75,000), exclusive of the interest and costs, pursuant to 28 U.S.C. §1332. In particular, the plaintiff in the underlying action seeks recovery of policy benefits, damages for bad faith, and treble damages under the Tennessee Consumer Protection Act for defendant's alleged failure to pay under a homeowner's policy.

4. Plaintiff is an adult resident of Murfreesboro, Rutherford County, Tennessee, and was at the time of the filing of this action and at the time of the removal. Defendant, Alfa Alliance Insurance Corporation, is a corporation organized under the laws of Virginia with its principal place of business in Glen Allen, Virginia. Accordingly, this matter involves citizens of different states.

- 5. This notice is filed within the time prescribed by 28 U.S.C. §1446(b).
- 6. A copy of the Summons and Complaint, being all the papers served upon defendant, is attached hereto.

WHEREFORE, notice is hereby given that the said Civil Action No. 64968 is removed from the Circuit Court of Rutherford County, Tennessee, to this Court.

Respectfully submitted,

GARY A. BREWER
Registration No. 4678
E. JASON FERRELL

Registration No. 24425

Attorneys for Defendant, Alfa Alliance Insurance Corporation

BREWER, KRAUSE, BROOKS, CHASTAIN & BURROW, PLLC

P. O. Box 23890 Nashville, TN 37202-3890 (615) 256-8787

CERTIFICATE OF SERVICE

I hereby certify that on this 2nd day of August, 2012, a true and correct copy of the foregoing has been sent, via first-class mail, postage prepaid to:

D. Brock East, Esquire McCarter, Catron & East, PLLC 101 North Maple Street

Murfreesboro, TN 37130

E. JASON FERRELL